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## FACSIMILE TRANSMISSION

Total # of Pages 17 (including this page)

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Examiner Sandra E. Saucier Group Art Unit 1651 Commissioner for Patents	(571) 272-0922	(703) 872-9306

From : Stephen B. Reiter <i>SR</i>
Email Address : sreiter@foley.com
Sender's Direct Dial : 858.847.6711
Date : February 16, 2005
Client/Matter No : 074066-0115
User ID No : 1877

## MESSAGE:

U.S. Patent Application No. 10/066,285

Following are:

- 1) Amendment Transmittal with Petition for Extension of Time, in duplicate (6 pgs.)
- 2) Amendment and Reply Under 37 CFR 1.116 (9 pgs.)
- 3) Terminal Disclaimer (1 pg.)

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FEB 16 2005

Atty. Dkt. No. 074066-0115

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Gregory M. Fahy

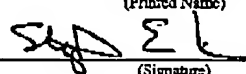
Title: POLYGLYCEROL AND  
LACTOSE COMPOSITIONS FOR  
THE PROTECTION OF LIVING  
SYSTEMS FROM STATES OF  
REDUCED METABOLISM

Appl. No.: 10/066,285

Filing Date: 02/01/2002

Examiner: Sandra E. Saucier

Art Unit: 1651

<b>CERTIFICATE OF FACSIMILE TRANSMISSION</b> I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below.  Stephen E. Reiter (Printed Name)   (Signature)  2/16/05 (Date of Deposit)
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**AMENDMENT TRANSMITTAL**Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

- ☒ [ X ] Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a previous  
assertion of Small Entity status.
- ☐ [ ] Assertion of Small Entity status is enclosed.
- ☒ [ X ] Terminal Disclaimer.

In re application of  
 Gregory M. Fahy  
 Application No.: 10/066,285  
 Page 2 of 3

Atty. Dkt. No. 074066-0115

☒ The fee required for additional claims is calculated below:

	Claims As Amended		Previously Paid For		Extra Claims Present		Rate		Additional Claims Fee
Total Claims:	8	-	38	=	0	x	\$50.00	=	\$0.00
Independent Claims:	1	-	4	=	0	x	\$200.00	=	\$0.00
First presentation of any Multiple Dependent Claims:		+					\$360.00	=	\$0.00
CLAIMS FEE TOTAL									= \$0.00

☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input checked="" type="checkbox"/> Extension for response filed within the first month:	\$120.00	\$120.00
<input type="checkbox"/> Extension for response filed within the second month:	\$450.00	\$0.00
<input type="checkbox"/> Extension for response filed within the third month:	\$1,020.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fourth month:	\$1,590.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fifth month:	\$2,160.00	\$0.00
EXTENSION FEE TOTAL:		\$120.00
<input checked="" type="checkbox"/> Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$130.00	\$130.00
CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:		\$250.00
<input checked="" type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):		\$125.00
TOTAL FEE:		\$125.00

☒ Please charge Deposit Account No. 50-0872 in the amount of \$125.00. A duplicate copy of this transmittal is enclosed.

In re application of  
Gregory M. Fahy  
Application No.: 10/066,285  
Page 3 of 3

Atty. Dkt. No. 074066-0115

- ☐ A check in the amount of \$575.00 is enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date

2/16/05

By



FOLEY & LARDNER LLP  
Customer Number: 30542  
Telephone: (858) 847-6711  
Facsimile: (858) 792-6773

Stephen E. Reiter  
Attorney for Applicant  
Registration No. 31,192

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Atty. Dkt. No. 074066-0115

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant:** Gregory M. Fahy

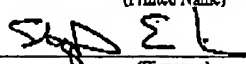
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**Appl. No.:** 10/066,285

**Filing Date:** 02/01/2002

**Examiner:** Sandra E. Saucier

**Art Unit:** 1651

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Respectfully submitted,

Date

2/16/05

By

Stephen E. Reiter

FOLEY & LARDNER LLP  
Customer Number: 30542  
Telephone: (858) 847-6711  
Facsimile: (858) 792-6773

Stephen E. Reiter  
Attorney for Applicant  
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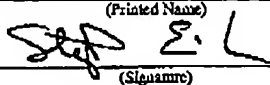
**Title:** Polyglycerol and Lactose  
Compositions for the Protection of  
Living Systems from States of  
Reduced Metabolism

**Appl. No.:** 10/066,285

**Filing Date:** 02/01/2002

**Examiner:** Sandra E. Saucier

**Art Unit:** 1651

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--

**AMENDMENT AND REPLY UNDER 37 CFR 1.116**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Responsive to the Office Action mailed November 4, 2004, please consider the following amendments and remarks.

**Amendments to the Claims** are included in the **Listing of Claims** which begins on page 2 of this communication.

**Remarks** begin on page 7 of this communication.